

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES THOMPCKINS, as Permanent
Guardian of the Person and Estate of
ANNIE MAE SMITH a/k/a ANNIE M.
THOMPCKINS,

Plaintiff,

v.

No. CV 21-49 JHR/CG

FIRST CHOICE OF ELKHART, INC.
d/b/a FIRST CHOICE TRANSPORT and
WILLIAM S. MILLER,

Defendants.

**ORDER GRANTING UNOPPOSED MOTION
TO APPOINT AND SUBSTITUTE PERSONAL REPRESENTATIVE**

THIS MATTER is before the Court on Plaintiff James Thompkins, as Permanent Guardian of the Person and Estate of Annie Mae Smith a/k/a Annie M. Thompkins's *Unopposed Motion to Appoint and Substitute Personal Representative* (the "Motion"), (Doc. 21), filed March 30, 2021. In the Motion, Plaintiff explains that Annie Smith a/k/a Annie M. Thompkins recently "passed away as a result of the injuries" at issue in this case. *Id.* at 2. As a result, Plaintiff requests the Court assign him as "the Personal Representative of the Wrongful Death Estate of Annie Mae Smith a/k/a Annie M. Thompkins," and as the named-Plaintiff in this action. *Id.* at 1. The Court, having reviewed the Motion and noting it is unopposed, finds the Motion is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED that James Thompkins is **APPOINTED** as the Personal Representative of the Wrongful Death Estate of Annie Mae Smith a/k/a Annie M. Thompkins.

IT IS FURTHER ORDERED that the Clerk's Office shall substitute James Thompsons, Personal Representative of the Wrongful Death Estate of Annie Mae Smith a/k/a Annie M. Thompsons, as the Plaintiff in the above-captioned matter.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE